

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

AUG - 9 2010

CLERK, U.S. DISTRICT COURT  
RICHMOND, VA

SALAME M. AMR,

Plaintiff,

v.

Civil Action No. 3:09 cv667

EDDIE N. MOORE, JR.,  
et al.,

Defendants.

ORDER

The following Orders were entered herein referring motions to  
Magistrate Judge M. Hannah Lauck for report and recommendation:

- (1) The January 12, 2010 Order referred DEFENDANTS' MOTION TO DISMISS THE COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6) (Docket No. 8) and DEFENDANTS' MOTION TO DISMISS THE COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6) (Docket No. 22);
- (2) The February 22, 2010 Order referred the MOTION TO DISMISS filed by the American Association of University Professors (Docket No. 33);
- (3) The February 25, 2010 Order referred the PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT (Docket No. 36);
- (4) The April 15, 2010 Order referred the motion to dismiss filed by American Society of Engineering Education (Docket No. 43); and
- (5) The April 22, 2010 Order referred the PLAINTIFF'S MOTION FOR SUBPOENA DUCES TECUM (Docket No. 64).

Having reviewed the REPORTS AND RECOMMENDATION (Docket Nos. 76, 77 and 78) entered herein on June 21, 2010, the plaintiff's objections thereto (Docket Nos. 80, 81 and 82), the defendant's response to plaintiff's objections (Docket No. 86), the plaintiff's reply to the defendant's response (Docket No. 88) and having considered the record and the REPORTS AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that:

- (a) The plaintiff's objections are overruled;
- (b) The REPORTS AND RECOMMENDATION (Docket No. 76, 77 and 78) of the Magistrate Judge are ADOPTED on the basis of the reasoning of the REPORTS AND RECOMMENDATION;
- (c) DEFENDANTS' MOTION TO DISMISS THE COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6) (Docket No. 8) is GRANTED;
- (d) DEFENDANTS' MOTION TO DISMISS THE COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6) (Docket No. 22) is GRANTED;
- (e) MOTION TO DISMISS filed by American Association of University Professors (Docket No. 30) is GRANTED;
- (f) PLAINTIFF'S MOTION FOR LEAVE TO AMEND HIS MEMORANDUM RESPONSE (Docket No. 33) is DENIED AS MOOT;
- (g) DEFENDANTS' [sic] MOTION TO DISMISS COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6) (Docket No. 43) is GRANTED and Counts One through Eight of the Complaint are dismissed as to the defendant, American Society for Engineering Education;
- (h) MOTION TO STRIKE (Docket No. 55) is DENIED AS MOOT;

(i) PLAINTIFF'S MOTION FOR SUBPOENA DUCES TECUM (Docket No. 64) is DENIED AS MOOT;

(j) DEFENDANTS' MOTION TO QUASH PLAINTIFF'S REQUEST FOR SUBPOENA PURSUANT TO FED. R. CIV. P. 45(c)(3) (Docket No. 66) is DENIED AS MOOT;

(k) PLAINTIFF'S MOTION FOR REQUESTING A HEARING (Docket No. 68) is DENIED AS MOOT;

(l) The plaintiff's oral motion to amend his AMENDED COMPLAINT is DENIED;

(m) American Association of University Professors' motion to quash the plaintiff's request for subpoena, within the body of its Opposition to Plaintiff's Motion for Subpoena Duces Tecum (Docket No. 69) is DENIED AS MOOT;

(n) DEFENDANT AMERICAN SOCIETY FOR ENGINEERING EDUCATION'S MOTION TO QUASH PLAINTIFF'S REQUEST FOR SUBPOENA DUCES TECUM (Docket No. 70) is DENIED AS MOOT; and

(o) To the extent that the plaintiff seeks relief pursuant to Rules 59(e) or 60(b), that request is DENIED WITHOUT PREJUDICE.

The issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

This Order may be appealed by the Plaintiff. Any appeal from this decision must be taken by filing a written notice of appeal with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a timely notice of appeal may result in the loss of the right to appeal.

The Clerk is directed to send a copy of this Order to the plaintiff and to counsel of record.

It is so ORDERED.

/s/

REP

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Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: August 8, 2010